

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

-vs-

CRIMINAL No. 09-3154 LH

BRUCE FOSTER GLASPELL,

Defendant

MEMORANDUM OPINION AND ORDER

THIS MATTER comes on for consideration of Defendant's Motion to Continue Sentencing Hearing (Docket No. 30), filed November 12, 2010. The Court, having reviewed the Motion and the record in this matter, and otherwise being fully advised, finds that the Motion is not well taken and it will be **denied**.

The Court notes that this criminal matter was commenced on October 29, 2009, by way of an Information charging Defendant with one count of mail fraud, in violation of 18 U.S.C. § 1341, and one count of wire fraud, in violation of 18 U.S.C. § 1343. That same day, Defendant entered a guilty plea, pursuant to a Plea Agreement with the government (Docket No. 5). This is the fourth motion to continue that Defendant has filed since the initially-scheduled sentencing date of March 9, 2010.

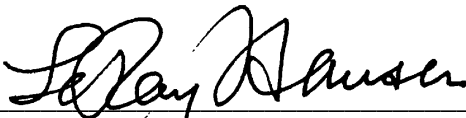
Defendant moves to continue his sentencing set for November 30, 2010, asking that it be reset for some time after March 1, 2011. As grounds for his Motion, Defendant maintains that he and his

Defense Counsel will need additional time to review the Presentence Report that was received on November 9, 2010, and that Defendant has very significant health issues that should be addressed prior to his sentencing. Defendant further stated that by November 17, 2010, he would provide letters from his doctors in support of his need of certain medical treatments. Defendant has failed to supplement the record as promised. The government opposes this Motion.

Given the already lengthy delays in sentencing that have occurred in this case, the Court will not vacate the current setting. The need for any future medical treatments can be addressed post-sentencing, if necessary.

WHEREFORE,

IT IS HEREBY ORDERED that Defendant's Motion to Continue Sentencing Hearing (Docket No. 30), filed November 12, 2010, is **DENIED**.



SENIOR UNITED STATES DISTRICT JUDGE